



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

OFFICE OF CHIEF PUBLIC DEFENDER
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February 28, 2011

Senator Joan V. Hartley
Representative Stephen D. Dargan
Co-Chairs Public Safety Committee
Legislative Office Building, Room 3600
Hartford, CT 06106

Re: *R.B. 5341, An Act Requiring the Collection of DNA from Persons Arrested for a Serious Felony, and An Act Concerning the Collection of Blood and other Biological Samples for DNA Analysis*

Dear Senator Hartley and Representative Dargan:

Attached for your consideration is suggested substitute language submitted by this office for insertion into *R.B. 5341, An Act Requiring the Collection of DNA from Persons Arrested for a Serious Felony*. The changes, if accepted, would (1) require the word "serious" to be removed from the title; (2) require that any refusal to submit a sample be "knowing"; (3) provide for a procedure wherein a person would be required to submit a sample after a finding of guilty or plea of guilty but prior to the "final disposition" in the case (the imposition of sentence); and, (4) require automatic expungement in certain circumstances.

Also, I have attached this office's comments and position in regard to *An Act Concerning the Collection of Blood and other Biological Samples for DNA Analysis*, as submitted by the Division of Criminal Justice. This office is opposed to the insertion of the term "fails" in Section 1(a) and the use of "reasonable force" in Section 1(i).

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Please feel free to contact me should you have any questions. Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Deborah Del Prete Sullivan", followed by a horizontal line.

Deborah Del Prete Sullivan

Legal Counsel/

Executive Assistant Public Defender

Susan O. Storey, Chief Public Defender
Brian Carlow, Deputy Chief Public Defender
Senator Eileen Daily
Representative Ed Jutila
Senator Anthony Guglielmo
Representative Janice R. Giegler